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Submission to:

THE SENATE STANDING COMMITTEE ON FORIEGN AFFAIRS AND DEFENCE

Regarding:

A. THE HUMAN RIGHTS AND THE CONDITION OF THE PEOPLE OF EAST TIMOR;

B. UNITED NATIONS RESOLUTIONS AND ACTIONS WITH REGARD TO EAST TIMOR;

C. THE APPROPRIATE POLICIES TO BE ADOPTED BY AN AUSTRALIAN GOVERNMENT IN RELATION TO MATTERS REVEALED IN THE COMMITTEE'S INQUIRY.

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This submission is presented by the Australian Section using material provided by the International Secretariat, Amnesty International.

INTRODUCTION

Amnesty International, in addressing itself to this Senate Standing Committee of the Australian Parliament, recognises the importance of this inquiry concerning the situation of the people of East Timor.

Amnesty International's mandate is specific. It seeks the release of 'prisoners of conscience' - persons who have been imprisoned for the non-violent exercise of their beliefs, for their ethnic origin, colour, sex, language or religion. It advocates fair and prompt trial for all political prisoners. It opposes without reservation the infliction of death penalties and torture and other forms of cruel, inhuman or degrading punishment.

It is in relation to these matters that Amnesty International has long been concerned for the human rights of people of East Timor. Its concern is not bred of political, economic, cultural or religious interests or affiliations. Amnesty International is an independent and worldwide movement.

The material presented in this written submission relates to each of the three areas referred by the Senate to the Committee for investigation and reporting. As a matter of convenience therefore each aspect of this brief will be dealt with in turn, viz.:

A. The human rights and the condition of the people of East Timor;
B. United Nations resolutions and actions with regard to East Timor;
C. The appropriate policies to be adopted by an Australian Government in relation to matters revealed in the Committee's inquiry.

In making its information available to the Committee as fully and thoroughly as possible Amnesty International hopes that it might make its presentation in two forms: this written submission and, at a later date, an oral statement before a public hearing. Amnesty International would appreciate the favourable application of the Committee's discretion in this regard.

A. THE HUMAN RIGHTS AND THE CONDITION OF THE PEOPLE OF EAST TIMOR

Since the Indonesian invasion of East Timor in December 1975, there have been persistent reports of violations of human rights within Amnesty International's mandate in that territory. These reports relate primarily to imprisonment, 'disappearances' and the execution, without trial, of both civilians and former combatants. During these years a strict prohibition has been imposed by the Indonesian occupation forces which has prevented unhindered access to the territory and the free flow of information out of it. Nevertheless throughout this period Amnesty International has received and gathered reliable information detailing violations of human rights which have occurred and are still occurring in East Timor.

1. Imprisonment

Amnesty International is concerned that a large number of East Timorese have been held in prisons without trial since the Indonesian invasion. Many of these took no part in the fighting and must be regarded as political prisoners while a number of others, since they neither used nor advocated violence, are prisoners of conscience within the terms of Amnesty International's mandate. Specific cases of such prisoners known to Amnesty International include former members of the Fretilin-affiliated student organisation, UNETIM.

Amnesty International knows that political prisoners are detained in the Comarca prison in Dili and on Atauro Island. In the past, political prisoners were also detained at the San Tai Ho warehouse. Amnesty International does not know if this is still used as a temporary interrogation centre or prison.

It is also known that temporary detention centres existed in each of the other eleven district capitals. These were buildings temporarily converted to detention centres for surrendering Fretilin fighters.

The Comarca, built by the Portuguese 120 years ago, has some 70 cells and a capacity for 700-1,000 prisoners. Those held in the Comarca are reported to be predominantly former combatants. However, an unknown number of these are former Timorese soldiers of the Portuguese Army who did not engage in combat against the Indonesians. Others, while

believed to have taken part in resisting the Indonesian invasion, have been imprisoned without trial since immediately after the invasion in December 1975.

An informant who visited the Comarca late in 1979 said it was then overcrowded and many prisoners appeared to be seriously undernourished. The prisoners' regular diet consisted of rice and kangkung (a type of spinach) supplemented once a week on Sundays by a small amount of meat. Prisoners were required to work from 5 a.m. to 5 p.m. every day, cultivating food for themselves and their guards, constructing roads and acting as servants in the houses of Indonesian officers. In addition to malnutrition, tuberculosis was known to be rampant in the prison. Prisoners were forced to sleep in close proximity to one another on stone floors. Adjacent to the prison was a swamp which seeped into the lower cells aggravating the physical condition and health of the prisoners.

The San Tai Ho warehouse, a two-storey building which was converted into an interrogation centre and prison soon after the Indonesian invasion, lies in the commercial district of Dili close to the port. During its use as a detention centre the ground floor consisted of three rooms, comprising two cells capable of holding 20 prisoners each, and a garage. Upstairs were two smaller cells and the prison administration office. As of 1980, many captured and surrendering Fretilin members had been held in the San Tai Ho. This detention centre is known to have held women prisoners.

Amnesty International has received reports of prisoners both in the Comarca and San Tai Ho prisons being beaten. There have also been persistent reports of the use of torture to gain information from persons held in the San Tai Ho. These included allegations of two women - Elda Saldanha and Maria Gorete Joaquim - held in San Tai Ho in 1976-77, being tortured by burning with cigarettes. Although, like the Comarca, San Tai Ho held some long-term prisoners, it appears to have functioned primarily as an interrogation centre and, unlike the Comarca, was administered not by the Military Police but by Military Intelligence.

In fact, since June 1980 Amnesty International has received continual reports of persons being held on the island of Atauro which is to the north of the main island of Timor. According to the

information Amnesty International has received, those taken to the island are civilians held simply on suspicion of being sympathetic to the call for independence. In some cases, their families have been compelled to accompany them. Once on Atauro, they are required to build their own quarters and grow their own food. There are reported to be grave shortages of some essential foodstuffs. Those held on Atauro are mostly civilians, includin g teachers, civil servants and youths of possible recruitment age for the Fretilin forces.

During 1981 Amnesty International received more extensive reports concerning the imprisonment of East Timorese without trial. These reports have indicated that at least 2,000 persons are being detained on Atauro Island alon e and a much smaller number in the Comarca. Though other reports have been received suggesting that detainees are being held elsewhere on the mainland and on other offshore islands, these cannot at this stage be confirmed. Reports continue to indicate that the East Timorese in general have been victims of reprisals, interrogation and arbitrary imprisonment.

2. 'Disappearances'

The word 'disappearance' entered the human rights vocabulary a bare 15 years ago, translated from the Spanish word desaparecido. It refers to the enforced or involuntary abduction of persons who are or are imagined to be in opposition to the existing authority. These persons are made to 'disappear' yet the authorities deny holding them and claim to know nothing of their whereabouts or fate. It is this denial of accountability by the authorities that makes 'disappearance' unique among human rights violations.

After the Indonesian invasion, Fretilin forces, accompanied by thousands of non-combatant East Timorese, were gradually pushed into the less accessible mountain and jungle areas. In August 1977 President Suharto offered an amnesty to all "Fretilin remnants" who surrendered to Indonesian forces. The offer initially ran until 31 December 1977 but was renewed. In the years since then, particularly since mid-1978, large numbers of East Timorese have surrendered, many driven out of the bush by hunger. Among them were a number of Fretilin leaders and fighters. Others during this same period were captured. Amnesty International is gravely concerned for the safety of these persons.

During 1979, there were a number of reports of persons 'disappearing' after surrender or capture by Indonesian forces. An indonesian churchman, who visited East Timor for several months in the first half of 1979, reported that in late March "the people of Dili were in a state of nervousness because of the news that the remaining (captured or surrendered) Fretilin leaders had been kidnapped at night, and no one knew of their whereabouts". A Portuguese priest, describing the situation in Dili at approximately the same time, noted: "No one who had links with Fretilin is safe; at any time they can be taken without their family knowing and put somewhere else, put in a prison camp, or, sometimes, they just disappear."

Amnesty International's own investigations confirm these reports. In February 1980, Amnesty International compiled a list of 22 'disappeared' persons. Some were reportedly killed immediately after surrender, but most simply 'disappeared', either while in detention or, in some cases, after their release. These persons were taken from their places of detention or picked up from their homes and have not been seen since.

Since the list was drawn up Amnesty International has continued to receive information on other cases of 'disappearances'. One such case, David XIMENES, has been highlighted during a worldwide campaign launched by Amnesty International last December concentrating specifically on the phenomenon of 'disappearances'.

> David Ximenes 'disappeared' after being arrested by Indonesian troops in June 1980. He was one of some 400 people arrested after an attack by East Timorese on an Indonesian army post on the outskirts of Dili on 10 June 1980. He had been a second Lieutenant in the Portuguese Army and was recruited into the Indonesian Army for a period after the 1975 invasion. At the time of his arrest he was running a car hire and taxi service in Dili.
>
> Amnesty International has received reports that a number of those arrested in June 1980, including David XIMENES, were later imprisoned on the island of Atauro.

Other cases should perhaps also be cited:

> Leopoldo JOAQUIM, a member of the Fretilin Central Committee, surrendered in Same in the south-west of the territory early in 1978. Following this a propaganda leaflet bearing his photograph and announcing his surrender was drawn up and distributed by the Indonesians. For several months after his surrender he was detained in San Tai Ho prison. After

his release he was required to report regularly to the local military command and Indonesian officers were frequently seen eating at his house.

In April 1979 he was taken by Indonesian troops and escorted to the house where his 17 year old niece, Maria Gorete JOAQUIM, lived. Maria Gorete JOAQUIM had herself been detained for six months in 1976 for her role in the Fretilin student organisation UNETIM.

Both Leopoldo and Maria Gorete JOAQUIM were taken away, purportedly to work in Bacau. Neither has been seen since.

Not all those arrested and whose cases are known to Amnesty International were leading figures in the Fretilin movement.

Before the events of 1979, Filomeno ALVES and Manecas EXPOSTO had both been known in Dili as members of the popular musical group Cinco do Oriente. Prior to the invasion they were students at the Lyceo in Dili and members of UNETIM. They surrendered together in Maubisse in January 1979. They were taken to Dili and held in San Tai Ho prison. In April 1979, shortly after being released from San Tai Ho, they disappeared. Both would be roughly 24 years old today. Both had relatives in Fretilin.

Amongst the more extensive information Amnesty International has been receiving since June 1981 are reports that a number of persons who had 'disappeared' were in fact killed shortly after being taken into custody by the Indonesian troops. Included amongst these are Maria Gorete JOAQUIM, Filomeno ALVES and Manuel EXPOSTO. Amnesty International stresses that the circumstances of these deaths must be investigated thoroughly.

The fates of other 'disappeared' persons remain unconfirmed:

Dulce Maria da CRUZ disappeared from prison. She was captured in March 1979 with her three year old child. She was taken to Dili and detained. Nothing has been heard of her since. A former student in Lisbon, Dulce Maria da CRUZ had been appointed principal of a primary school in Dili in October 1974. In January 1975 she was selected by the Portuguese administration to sit on a Commission for Education Reform.

Amnesty International is concerned about the fate of surrendered and captured East Timorese, particularly those identified by the Indonesian forces as Fretilin supporters who actively engaged in resisting the invasion, as well as their families. While not in a position to estimate the total number of East Timorese who have disappeared Amnesty International continues to receive statements

containing new instances of such disappearances.

Amnesty International has the names of other surrendered or captured persons who are believed to be still alive. Given that disappearances are known to have occurred and reports suggest they are still occurring, Amnesty International is concerned that these persons continue to be in danger.

3. Extra-Judicial Executions

In some situations the dividing line between 'disappearance' and murder or execution is slender and this apparently is true of the situation in East Timor.

A number of reports received by Amnesty International in 1979 through to August 1980 allege large scale summary executions of persons who surrendered under the amnesty or were captured.

One report smuggled out of Dili and dated 26 March 1980, reads: "The majority of the uneducated people who have come down from the jungle have already been killed. Specific cases that I know are . . . (seven names were given).

The last two, according to eye-witnesses, were burned to death with petrol in Viqueque . . . When they want to liquidate someone they say they have gone to continue their studies or that they have left for Jakarta or Lisbon, or that they were called urgently to Kelicai. Kelicai is an administrative post at the foot of Mount Mantebiam, at the eastern end of the Island, where they have carried out many murders. To speak of Kelicai makes our hearts beat and our hair stand on end, for Kelicai represents . . . . certain death for those who are called there urgently. Thus the life of the few who remain is at present between the wall and the sword . . . I have had contact with three of the (Indonesian) government's most faithful servants, separately at different times and in different places, and all three have told me the same thing: that later all those who had some kind of responsibility in the bush will be liquidated, and that all those who came down (from the mountains) at the end of 1978 and in 1979 are suspected and will be executed as many before them have been already."

This information is supported by a letter from East Timor dated 8 March 1980:

"There are people who surrendered four years ago now being executed by the Javanese (i.e. Indonesian troops), just because they (the Indonesians) heard information that they had assisted Fretilin. In the face of these atrocities discontent reigns, and the people return to the bush. The Indonesians say: it's not good to continue in the bush. But when we surrender to them, they shoot us. The best thing is to return to the bush to fight until death."

Amnesty International itself received the names of at least 25 persons who were killed at Kelicai during the months of March and April in 1979. All of those killed had given themselves up after assurances from the commander of Battalion Six that their physical safety would be guaranteed. Some of those killed were non-combatants. In addition to the 25 men whose names were given to Amnesty International reports have been received indicating that others, including women, accused of collaborating with Fretilin in the bush were also killed during this same period. The number of persons thus killed greatly exceeded 25. A captain in RTP Battalion Six is mentioned as a main perpetrator of the killings.

On Amnesty International's records there are specific cases like the following:

> Joao Andrade SARMENTO, a member of the Fretilin Central Committee, surrendered in Vato-Carabau with his wife and eight children in October or November 1978. He and his family were escorted 40 km. on foot to their home town of Los Palos. There, SARMENTO resumed work as a nurse. In June 1979 he was summoned by the Indonesian military authorities and is believed to have been executed.

Amnesty International has received further reports of Extra-Judicial Executions by Indonesian forces as recently as May, 1981.

On 6 May in Los Palos at Tutuala Command Post four (4) women and eight (8) men were reportedly killed by Indonesian soldiers. The men had been detained on the off-shore island of Jaco from where they had escaped. On re-capture they were summarily killed.

4. Approaches to the Government of Indonesia

Disturbed by continuing reports of the grave violation of human rights in East Timor, Amnesty International in April 1980 wrote to President Suharto to draw his attention to these concerns.

In its letter Amnesty International:

i. urged the Indonesian government to carry out its own investigation into the present whereabouts of persons who had 'disappeared' after surrender or capture;

ii. appealed to the Indonesian government to co-operate in ensuring the International Committee of the Red Cross be permitted to expand its activities in East Timor beyond the provision of relief so as to include its other internationally-recognised functions of tracing missing persons and visiting prisons;

iii. requested President Suharto to instruct Indonesian forces in the territory of East Timor to ensure the physical safety of former Fretilin supporters in compliance with the terms of the amnesty originally offered by the President;

iv. urged an investigation into the conditions in which several hundred East Timorese are being imprisoned; and asked for public assurance that prisoners would be treated in accordance with international standards governing the rights of persons held in detention.

In the light of the information Amnesty International had received, it considered such steps to be the minimum required. The minimum standards for the treatment of prisoners as set forth in the Geneva Conventions of 1949 governing areas of armed conflict prohibit torture and murder. According to internationally-recognised principles of law, all persons alleged to have committed crimes are to be treated, judged and punished within a framework of legality which is consistent with respect for and protection of human rights.

No reply has been received to date by Amnesty International.

It has recently been reported from Jakarta that a delegation from the International Committee of the Red Cross was permitted to visit East Timor in February 1982. The ICRC delegates interviewed 806 families on Atauro Island, officially described as 'displaced persons'. Further, prisoners have been interviewed. The delegation's findings have been presented to the Indonesian Government in a confidential report,

according to the procedures of the ICRC.

In view of the lack of assurance from the Indonesian Government that Amnesty International's findings would be investigated, and in view of the reports of violations that continue to be received, Amnesty International's concern has intensified.

B. UNITED NATIONS RESOLUTIONS AND ACTIONS WITH REGARD TO EAST TIMOR

Amnesty International has submitted its findings to the United Nations on several occasions. Information has been submitted to the Working Group on Enforced and Involuntary Disappearances of the United Nations Commission on Human Rights, and statements have been made before the Special Committee on Decolonization (the Fourth Committee of the General Assembly) at both its 35th (1980) and 36th (1981) sessions.

Amnesty International is well aware of the important role Australia has in its work within the United Nations at the present time. In particular Amnesty International realises the influence and respect the Australian government has acquired through its membership of the United Nations Commission on Human Rights. In the recent past Amnesty International has itself approached the Australian government on several matters coming before this Commission, including matters relating to the Working Group on Enforced and Involuntary Disappearances.

For these reasons the recognition by this Standing Committee of the Australian Senate of the importance of Australia's position within the United Nations as one means of protecting the fundamental rights of the people of East Timor is most welcome.

1. A History of Concern

Not all the matters concerning East Timor that are raised in the United Nations fall within the parameters of Amnesty International's own mandate. Nevertheless, within the broader context there exists a history of concern for the fundamental rights of people of East Timor in relation to imprisonment, the absence of fair trial, 'disappearances' and summary executions . As pointed out previously these matters are most definitely of concern to Amnesty International.

The General Assembly of the United Nations in the context of its decolonization programme has passed a resolution on East Timor every year since its 30th Session in 1975, when Indonesia invaded this country.

Characteristic of the resolutions passed by a majority of the General Assembly's member countries has been a reaffirmation of the right of

the people of East Timor to self determination and independence, and an expression of concern at the suffering of the people of East Timor as a result of the prevailing situation in that territory.

In the resolution passed during its 32nd Session on 28 November 1977, the General Assembly "(called) upon the Government of Indonesia and the Frente Revolucionaria de Timor L'este Independente (Fretilin) to facilitate the entry into East Timor of the International Committee of the Red Cross and other relief organisations in order to assist the people of that territory."

The question of East Timor has also been the subject of discussions and resolutions before the Security Council of the United Nations, most notably in the last months of 1975 and in April 1976.

The Working Group on Enforced or Involuntary Disappearances in its most recent Report (26 January 1982) to the United Nations Commission on Human Rights again presented details of its efforts on behalf of 'disappeared' persons in East Timor. In its report the Working Group notes that by a letter dated 10 November 1981, the Working Group informed the Government of Indonesia of its wish to be able to consider at its sixth session any information the Government might wish to send and that the Group would be happy to meet with a representative of the Government during that session. At the time the Report was adopted no response had been received from the Government of Indonesia.

What was noted, however, was a 'note verbale' dated 19 November 1980 from the Permanent Mission of Indonesia to the United Nations office in Indonesia:

> "After integration, members of the Fretilin who opposed integration fled to the mountains from where they were undertaking terrorist actions against the population. When they realised that they were not getting the support of the people, many of them later came down from their hide-outs to surrender to the security forces. In the process some of them may have been killed by the populations as a revenge for the murders and other atrocities committed by the Fretilin during the bloody civil war of 1974/1975 and afterwards.
>
> In carrying out its task to restore peace and security to the people of East Timor, the Indonesian Government is doing its best to prevent such excesses and will continue to do so . . . "

At a subsequent meeting the Working Group met with the Deputy Permanent Representative of Indonesia to the United Nations office at Geneva, and was informed:

> "the Government was convinced that the case of each and every disappeared person was an important issue but had decided as a matter of principle that their limited resources must at present be used for other purposes."

Amnesty International certainly does not regard either as an adequate response from the Indonesian Government to the United Nations Working Group.

2. Australia at the United Nations on East Timor

It should be re-stated that the substance of the resolutions as presented to the General Assembly of the United Nations largely extend beyond the limits of Amnesty International's mandate. Nevertheless, certain aspects of concern to the United Nations as incorporated in those resolutions are also of concern to Amnesty International.

In looking at the position taken by the Australian Government on these resolutions* the question must be asked to what degree the Australian Government does or does not support those aspects of the United Nations resolutions seeking to resolve the suffering of the people of East Timor and encouraging investigation of the situation itself. Amnesty International is aware that at the last session of the General Assembly the Australian Government opposed the inclusion of the question of East Timor on the agenda.

As a corollary to this Amnesty International would ask to what extent and in what manner is the Australian Government prepared to use its influence within the United Nations to ensure the protection of the fundamental rights of the people of East Timor with particular reference to those matters raised in this submission: viz., the imprisonment of persons who have neither used nor advocated violence for the sole reason of their political beliefs, internment without

trial, 'disappearances', summary execution.

* Australia voted as follows:

30th Session 12.12.75	Yes
31st Session 1.12.76	Abstained
32nd Session 28.11.77	Abstained
33rd Session 13.12.78	No
34th Session 21.11.79	No
35th Session 11.11.80	No
36th Session 24.11.81	No

C. THE APPROPRIATE POLICIES TO BE ADOPTED BY AN AUSTRALIAN GOVERNMENT IN RELATION TO MATTERS REVEALED IN THE COMMITTEE'S INQUIRY

Amnesty International is solely concerned with the policy of any government insofar as policy affects the protection or, conversely, the violation of a person's fundamental rights as embodied in its own mandate.

It is in this context that Amnesty International places its findings on the situation of the people of East Timor beforethis Senate Standing Committee of the Australian Parliament in the belief that in these matters the Australian Government also has a responsibility. As a member state of the United Nations, it has pledged to support joint and separate action to promote respect for human rights.

Amnesty International therefore asks that the Australian Government consider the following recommendations. In particular Amnesty International urges the Australian Government to consider what role it might play in pursuing these recommendations:

Recommendation 1.

An investigation should be initiated into the imprisonment of persons for political reasons particularly where those persons have neither used nor advocated violence; this investigation should also examine allegations of detention without trial;

Recommendation 2.

Any investigation should also have within its terms of reference power to examine the places of internment and the conditions under which East Timorese people are being interned. In particular access should be made available to the Comarca and the island of Atauro;

Recommendation 3.

The Government of Indonesia is urged to undertake a full and thorough investigation into the present whereabouts of persons who have 'disappeared' after surrender or capture;

Recommendation 4.

The Indonesian Government should ensure that the International Committee of the Red Cross be permitted to undertake tracing and continue prison visitation programmes in East Timor;

Recommendation 5.

Recognising that, despite reliable information on instances of detention without trial, 'disappearance' and summary execution, the information on East Timor remains incomplete due to the prohibitions imposed on access to the territory by the Government of Indonesia, requests from international bodies to send independent missions of inquiry should be supported;

Recommendation 6.

All governments are urged to strongly support initiatives within the United Nations and its relevant committees which are aimed at the protection of the fundamental rights of the people of East Timor.

Amnesty International believes that the Government of Australia has a particular responsibility with respect to the people of East Timor. This responsibility is not simply from geographical or political proximity but rather from the focus the international community has centred on Australia with regard to the situation of the people of East Timor.

Amnesty International itself asks the Australian Government to pursue through its own policy and actions not only the endorsement but the implementation of the above recommendations.

D. CONCLUSION

Amnesty International expects that it will shortly be in a position to make more information available to this Committee should an opportunity be available. Further, Amnesty International recognises that the members of the Committee may have questions concerning or extending the information presented in this submission. For these reasons and in its endeavour to fully communicate its concerns on the situation of the people of East Timor, Amnesty International asks that the Committee might favourably consider its request to supplement this report with an oral submission at a public hearing.

APPENDIX I

Extracts from the Reports of the East Timor Regional People's Assembly to the President of the Republic of Indonesia on Questions related to the Implementation of Government in East Timor.

APPENDIX II

Letter to President Suharto from the Office of the Secretary General of Amnesty International, 28 April, 1980.

APPENDIX III

List of East Timorese who have disappeared after surrender or capture as published by Amnesty International, 9 June, 1980.

APPENDIX I

Extracts from the Reports of the East Timor Regional People's Assembly to the President of the Republic of Indonesia on Questions related to the Implementation of Government in East Timor

Extracts from this document are being made available by Amnesty International because it documents allegations of human rights violations, and the maladministration of East Timor, compiled by East Timor's regional assembly representatives. The report, the first one known to have been written, was sent to President Suharto by all the regional assembly's members, although the accompanying letter was signed by only two of them: the youngest and oldest members, as being representative of the 28-member body. The Regional Representative People's Assembly of East Timor was set up in May 1976. Representatives were appointed by the Indonesian Government, they were not elected by the population of East Timor. In July 1976, the People's Assembly petitioned President Suharto to integrate East Timor into Indonesia, which subsequently took effect, although this is not recognized by the United Nations.

On 18 November 1981, Leandro Isaac and Aniotos NF Sousa Soares, whose names appeared as signatories on this document, were arrested in Dili, the capital city of East Timor. Both were taken to Denpasar Bali, the headquarters of the regional military command including the territory of East Timor. No formal charges were made against them. However, the Jakarta daily newspaper, Merdeka, reported that the two men were detained for allegedly allowing copies of the report to reach foreign organisations, diplomats and news media. Leandro Isaac and Aniotos NF Sousa Soares were reported to have been released on 29 December 1981, following widespread coverage of their arrest and the DPRD report, in foreign news media, especially in Australia.

Since then, however, Amnesty International has been informed that Leandro Isaac and Aniotos Sousa Soares were being kept under 'house arrest in Denpasar. Further to this, in March 1982, an interview with both men in Dili was reported in the Sydney Morning Herald (12/3/82).

Although Amnesty International is unable to substantiate the specific allegations made in the following extracts from the report and it should not be regarded as Amnesty International verified information, the authenticity of the report is not doubted.

Finally, the report itself dates from June 1981. However, no dates are given of the specific allegations of human rights violations contained in it.

. . . /2

"I. Introduction

.... The Integration of East Timor is the consequence of the desire that exploded within the breasts of the sons and daughters of the region of East Timor, which was accepted at the right moment by the President of the Republic of Indonesia, Bapak Suharto, on 17th July, 1976. Even so, some individuals who have come to this Province have introduced behaviour that can only be described as being the behaviour of conquerors towards a conquered people. With great brutality, the aforementioned individuals do not respect, they even ignore the customs of the People of East Timor, and make use of this opportunity to abuse the powers vested in their positions whilst displaying indisciplinary attitudes that are totally in contravention of both the policy of the Central Government as well as the aspirations of the People of East Timor.

"II. Questions in the Realm of Breaches of Law and Discipline

Although five years of Integration have passed, although security has been restored by stages and in a variety of ways, although the masses of people have constantly made endless sacrifices, it is not yet possible to experience the implementation of law and discipline in this young Province of East Timor.

"The Regional People's Representative Assembly of the Province of East Timor is continually, with deep sorrow, receiving verbal as well as written reports or complaints from the People about torture, maltreatment, murders and other unimaginable cases. The basic laws in this Province of East Timor are controlled by certain individuals or groups who place their personal interests above the interests of the people as a whole, even to the extent that their unlawful actions result in death for the People. But these irresponsible people or groups commit murders without due process of the laws concerning investigation. Feelings of fear are widespread among the People with the result that the living conditions of the People have worsened.

"After five years of Integration, the People of East Timor do not yet enjoy the freedom that humanity needs to feel....

1. In the District of Lospalos, some people were murdered by Battalion 745 because they practised black magic.

2. In the District of Viqueque, tens of inhabitants were murdered after being tortured by having their sex organs slashed because they did not obey orders serving the interests of certain individuals or groups and also because of black magic practices.

.../3

3. In the District of Likisa, tens of people were murdered by Kodim (Sub-District Military Command) after having been tortured with electricity and other forms of burning, without adequate reason.

4. In the District of Kovalima, tens of inhabitants were murdered by Battalion 745 after being accused of practising black magic."

(The practice of "black magic" is believed to refer to the traditional religious animism of the bulk of East Timor's population. In 1974/5, when the territory's population was estimated as between 650,000-680,000, only 200,000 persons were of Roman Catholic religion. In contrast to this, members of the Indonesian armed forces are predominantly Muslim, with a small proportion holding Christian religious beliefs.)

"These murders and acts of torture committed by these irresponsible persons or groups have resulted in a situation of instability throughout the region of East Timor where there have been many reactions, fears and a variety of other feelings. Yet Integration which took place five years ago should have brought the results that the People of East Timor really want to enjoy.

"Furthermore, in a situation where there are no legal restraints and no discipline, problems relating to matters of morality occur, such as for instance in Dili where several women in a prison were tortured with electricity and burnt with cigarettes by some elements of the Armed Forces who also inflicted immoral sexual acts upon them....

"III. Problems in the Realm of the Economy"

(No extracts are reproduced from this section reproduced since it details allegations of the misuse of central government funds intended for development of the province and stimulation of the local economy, and the monopoly control of commodity trading.)

"IV. Matters that are of a Dangerous Nature and that cause Unrest among the People and the Native Officials of East Timor, (by means of which) Certain Elements create Discord and arouse Feelings of Hatred in order to seek Benefits and Positions for Themselves or their Groups"

(Similarly, there are no extracts from this section reproduced since it details allegations against three named individuals specifically accused of corruption, diverting medical supplies and misappropriation of development project funds.)

"V. Conclusion

This is the Report we wish to submit to you in the hope that you will be gracious enough to rectify these distortions which can lead to unrest and anxieties among the people and native officials of East Timor who have only just emerged from the fears that resulted from past disturbances. And we should in the first place explain to you that it is our purpose in submitting this Report to help create a good name and respect for the Indonesian Armed Forces (ABRI) in the eyes of the People of East Timor.

"It is deeply to be regretted if, as a result of the indisciplinary deeds of certain elements and personally-motivated groups, there developed among the People prejudices towards and fears of the good name of our beloved ABRI....

"Should there be any errors or anything inappropriate in the way of presentation, we ask for your forgiveness because we are submitting this to you in order to remove feelings of unrest and fear among the people of East Timor who still need guidance and direction from you....

"That is all. Thank you, and Freedom together with Indonesia."

APPENDIX II

LETTER TO PRESIDENT SUHARTO
FROM THE OFFICE OF THE SECRETARY GENERAL
OF AMNESTY INTERNATIONAL - 28 APRIL 1980

'Your Excellency,

I am writing to you to express Amnesty International's concern about serious human rights violations in East Timor which have come to our attention. Amnesty International has received reliable reports that a number of persons who had surrendered to or been captured by Indonesian forces in East Timor have subsequently disappeared without trace and may have been summarily executed. I am attaching to this letter a list of such disappeared persons. Since, in your Independence Day speech of August 1977, you personally offered to persons surrendering to Indonesian forces an amnesty under which their safety was guaranteed, you will certainly also be concerned by such reports. We therefore respectfully urge you to order a full investigation into the present whereabouts of persons who have disappeared after surrender or capture.

'Amnesty International is also concerned about the present position of at least 800 Timorese reported to be detained without trial in prisons in the territory in conditions which, according to information received by Amnesty International, give ground for fears for their health and safety. Amnesty International has learned that these prisoners are severely undernourished and are held in conditions injurious to their health. Amnesty Internation also believes that a number of persons disappeared after a period of imprisonment following surrender or capture. I would ask for a public assurance from you that their safety will be guaranteed and that they will be treated in accordance with the provisions of Articles 6, 7, 8, 9 and 10 of the International Covenant on Civil and Political Rights governing the rights of persons held in detention. To this end, a speedy and thorough investigation of their conditions would appear to be necessary, and Amnesty International urges that such an investigation be initiated immediately. We are also requesting that you instruct Indonesian forces to ensure the safety of former Fretilin supporters in compliance with the terms of the amnesty.

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'In December 1977, Amnesty International appealed to your Government to permit increased access by international observers to the territory of East Timor. At that time, Amnesty International noted reports of killings and other violent acts committed by Indonesian troops against inhabitants of East Timor. We are now therefore urging your cooperation once again in ensuring that the International Committee of the Red Cross be permitted to expand its activities in East Timor so as to include its internationally-recognized functions of tracing missing persons and visiting prisons. Amnesty International would like to take this opportunity to recall the Resolution on Disappeared Persons adopted by the General Assembly of the United Nations in December 1978 which inter alia calls upon governments "to cooperate with other governments, relevant United Nations organs, specialized agencies, intergovernmental organizations and humanitarian bodies in a common effort to search for, locate or account for such (disappeared) persons in the event of reports of enforced or involuntary disappearances."

'In the light of the recent reports received by Amnesty International, we appeal to your Government to grant such access as may be necessary to investigate these reports. To assist in all such investigations Amnesty International intends to make the list of persons reported to have disappeared publicly available.

Yours respectfully and sincerely,
Dick Oosting
Deputy Secretary General'

APPENDIX III

LIST OF EAST TIMORESE WHO HAVE DISAPPEARED AFTER SURRENDER TO OR CAPTURE BY INDONESIAN OCCUPATION FORCES IN EAST TIMOR*

Name	Reported Date and Place of Surrender, Capture or Arrest	Reported Date of Disappearance
Filomeno ALVES	January 1979 (S)	April 1979
Anibal ARAUJO	1978 (S)	February 1979
Antonio CAVARINO	February 1979 (C)	February 1979
Joao CONCEICAO	December 1978 (S)	February 1979
Linio DA COSTA	June 1979 (S) in Baucau	September/ October 1979
Dulce Maria DA CRUZ	March 1979 (C)	April 1979
Eduardo DOS ANJOS	early 1979	early 1979
Manecas EXPOSTO	January 1979 (S) in Luca	
Antonio GUSMAO	April 1979 (S) in Luca	June 1979
Jose Alexandre GUSMAO	April 1979 (S) in Luca	May 1979
Leopoldo JOAQUIM	early 1978 (S) or mid-1978	early 1979
Maria Gorete JOAQUIM	December 1975 (A) or mid-1976	early 1979
Sebastiao MONTALVAO	1979 in Hera	1979

(S), (C) or (A) after date signify surrender, capture or arrest

* as published by Amnesty International, 9 June, 1980

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Name	Reported Date and Place of Surrender, Capture or Arrest	Reported Date of Disappearance
Joao Bosco QUINTAO	December 1977 (C) or February 1978	December 1977
Afonso REDENTOR	December 1977	December 1977
Domingos da Costa RIBEIRO	December 1978 (S)	December 1978
Joao Andrade SARMENTO	October/ November 1978 (S) in Uato-Carabau	June 1979
Sebastiano Doutel SARMENTO	December 1978 (S) in Cormoro	probably in December 1978
Joao Baptista de Jesus SOARES	early 1978 (S) in Bobonaro	mid-1979
Joao Bosco SOARES	June 1979 (S) in Alas	November 1979
Agostinho TILMAN	March 1979 (S)	May 1979
Eduardo XIMENES	March 1979	March 1979

(S), (C) or (A) after date signify surrender, capture or arrest